IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 21ST FEBRUARY 2007 / 2ND PHALGUNA 1928

WP(C).No. 5749 of 2007(H)

PETITIONER:

ABOOBACKER.N.K., NON VOCATIONAL TEACHER IN ENGLISH (VHSE), B.Y.K.VOCATIONAL HIGHER SECONDARY SCHOOL, VALAVANNUR, TIRUR, MALAPPURAM DISTRICT.

BY ADV. SRI.AVM.SALAHUDIN

RESPONDENTS:
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1. **DIRECTOR OF VOCATIONAL HIGHER SECONDARY EDUCATION, DIRECTORATE OF VOCATIONAL HIGHER SECONDARY EDUCATION, THIRUVANANTHAPURAM.**

2. **THE ASSISTANT DIRECTOR, VOCATIONAL HIGHER SECONDARY EDUCATION, REGIONAL OFFICE, KUTTIPURAM.**

3. **THE PRINCIPAL, B.Y.K.V.H.S. SCHOOL, VALAVANNUR, TIRUR, MALAPPURAM DISTRICT.**

R1 & R2 BY GOVERNMENT PLEADER (SHRI A. J. VARGHESE)

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 21/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K. M. JOSEPH, J.

W.P.C. NO. 5749 OF 2007 H

Dated this the 21st February, 2007

JUDGMENT

Case of petitioner, in brief, is as follows:

Petitioner joined service as a High School Assistant on 1.8.1985. He was promoted to the post of Non-Vocational Teacher in the Vocational Higher Secondary School vide Ext.P1, which was ratified vide Ext.P2. His pay in the post of Non-Vocational Teacher was fixed at Rs.6,675/=. When the Pay Revision came, he was denied weightage for the prior High School service, as he works in the VHSE. It is his case that Higher Secondary School Teachers are given weightage for the prior High School service. He relies on Ext.P3 which is a Government Circular to the effect that prior regular service of those who have been appointed to posts having same or higher time scale of pay can be reckoned for service weightage. Petitioner made representation before first respondent who by Ext.P4, directed the Principal, namely the third respondent to

dispose of the case of the petitioner in accordance with Ext.P3 Circular. It is the complaint of petitioner that even then, the pay of the petitioner has not been fixed properly. Petitioner relies on Ext.P6 which evidences weightage being given to another Plus II Teacher of the same School.

2. Heard the learned Government Pleader also. The Writ Petition is disposed of directing the third respondent Principal, to take appropriate action in accordance with law and in terms of Ext.P4 direction, within a period of six weeks from the date of receipt of a copy of this Judgment.

K. M. JOSEPH, JUDGE

kbk.